

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GEORGE HARRIS,

Plaintiff,

v.

AIR TRANSPORT DISTRICT 143  
INTERNATIONAL ASSOCIATION OF  
MACHINISTS & AEROSPACE  
WORKERS, LOCAL LODGE 1040  
INTERNATIONAL ASSOCIATION OF  
MACHINISTS & AEROSPACE  
WORKERS,

Defendants.

CASE NO. C05-1824JLR

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable  
James L. Robart:

In response to the court's November 14, 2005 order dismissing this action for lack  
of subject matter jurisdiction, Plaintiff has moved for reconsideration (Dkt. # 3). Plaintiff  
seeks leave to file an amended complaint that attempts to state a basis for this court's  
jurisdiction. He also asks that the amended complaint relate back to the November 3,  
2005 filing date of his original complaint in this action.

Pursuant to Local Rules W.D. Wash. CR 7(h)(1), motions for reconsideration are  
disfavored, and will ordinarily be denied unless there is a showing of (a) manifest error in

1 the prior ruling, or (b) facts or legal authority which could not have been brought to the  
2 attention of the court earlier, through reasonable diligence. Plaintiff has not made either  
3 showing in his motion. He simply alleges that he mistakenly failed to state his bases for  
4 federal jurisdiction in his original complaint. Absent exceptional circumstances, the court  
5 cannot grant a motion for reconsideration to correct a plaintiff's mistake. The court  
6 therefore denies Plaintiff's motion.  
7

8 The court has reviewed Plaintiff's amended complaint, however, and finds that it  
9 facially states a basis for federal jurisdiction. The court grants Plaintiff leave to file the  
10 amended complaint. Because Plaintiff has not served Defendant with any document in  
11 this case, the court declines to rule on whether the amended complaint relates back to the  
12 original complaint. When Plaintiff serves Defendant, it directs the court to provide  
13 Defendant with copies of all pleadings in this action, including Plaintiff's motion for  
14 reconsideration and this order. The court will consider the "relation back" issue if, after  
15 service, one of the parties raises it in a proper motion.  
16

17 As stated above, the court DENIES Plaintiff's motion for reconsideration (Dkt.  
18 # 3), but grants Plaintiff leave to file his amended complaint.

19 Filed and entered this 28th day of November, 2005.

20  
21 BRUCE RIFKIN, Clerk

22 s/Mary Duett

23 By Deputy Clerk  
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